

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/708,433
Applicant : Jonathan DeLine
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T.C./A.U. : 2687
Examiner : Marcos L. Torres
Docket No. : U02-0189-35
Customer No. : 54,494

Confirmation No.: 2432

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

AMENDMENT

Sir:

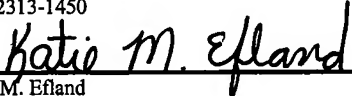
In response to the Office Action of December 20, 2005, please amend the above-identified application as follows. A Petition for Extension of Time is enclosed. Payment of the petition fee is being authorized via electronic funds transfer. The Commissioner is hereby authorized to debit any extra amount owed or to credit any extra amount paid to deposit account no. **13-4365**.

Amendments to the claims begin on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

**CERTIFICATE OF
ELECTRONIC FILING**

I hereby certify that this correspondence is being electronically filed with the US Patent Office on May 22, 2006, addressed to Mail Stop: Amendment, Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450


Katie M. Efland

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1-3. (cancelled)

4.(currently amended) ~~A mobile terminal for use in a wireless communication system as recited in claim 2,~~ A mobile terminal for use in a wireless communication system, comprising:

a housing having an inner major surface and an opposed outer major surface and enclosing electronic components operable to transmit and receive telecommunication signals, the inner major surface of the housing including means for providing user input to the mobile terminal;

a display having an inner major surface and an opposed outer major surface and electrically connected to the electronic components in the housing, the display movably mounted to the housing for movement relative to the housing from a first position where the inner major surface of the display is opposite the inner major surface of the housing for at least partially concealing the user input means of the housing and a second position such that the user input means of the housing is exposed and accessible to the user; and

a flip cover having an inner major surface and an opposed outer major surface and electrically connected to the electronic components in the housing, the inner major surface of the flip cover including means for providing user input to the mobile terminal, the flip cover pivotally mounted to the housing and movable relative to the housing and the display between a closed position where the inner major surface of the flip cover is opposite the outer major surface of the display when the display is in the first position and an open position, the flip cover being sized to substantially conceal the outer major surface of the display and the inner major surface of the housing when in the closed position, and

~~further comprising~~ means for rotating the display interposed between the display and the pivotal mounting, the rotating means allowing the display to rotate relative to the housing and the flip cover in a direction perpendicular to the axis of the pivotal mounting for positioning one of the inner major surface or the outer major surface of the display against the inner major surface of the housing or the flip cover.

5.(original) A mobile terminal for use in a wireless communication system as recited in claim 4, further comprising a hinge connecting the housing, the flip cover, and the display, the hinge providing the axis of movement of the housing, the flip cover and the display, and wherein the display rotating means is a movable support attached to the hinge and to an edge of the display.

6.(currently amended) ~~A mobile terminal for use in a wireless communication system as recited in claim 1,~~ A mobile terminal for use in a wireless communication system, comprising:

a housing having an inner major surface and an opposed outer major surface and enclosing electronic components operable to transmit and receive telecommunication signals, the inner major surface of the housing including means for providing user input to the mobile terminal;

a display having an inner major surface and an opposed outer major surface and electrically connected to the electronic components in the housing, the display movably mounted to the housing for movement relative to the housing from a first position where the inner major surface of the display is opposite the inner major surface of the housing for at least partially concealing the user input means of the housing and a second position such that the user input means of the housing is exposed and accessible to the user; and

a flip cover having an inner major surface and an opposed outer major surface and electrically connected to the electronic components in the housing, the inner major surface of the flip cover including means for providing user input to the mobile terminal, the flip cover pivotally mounted to the housing and movable relative to the housing and the display between a closed position where the inner major surface of the flip cover is opposite the outer major surface of the display when the display is in the first position and an open position, the flip cover being sized to substantially conceal the outer major surface of the display and the inner major surface of the housing when in the closed position, and

~~further comprising~~ a rotational joint mounted between the housing and the display for allowing the display to rotate relative to the housing and the flip cover in a plane about an axis perpendicular longitudinal axis of the housing.

7.(original) A mobile terminal for use in a wireless communication system as recited in claim 6, wherein the display is mounted to the housing at a position along the longitudinal axis of the housing.

8.(original) A mobile terminal for use in a wireless communication system as recited in claim 6, wherein the display is mounted to the housing at a position spaced from the longitudinal axis of the housing.

9.(original) A mobile terminal for use in a wireless communication system as recited in claim 6, wherein the rotational joint allows the display to rotate by at least about degrees.

10.(currently amended) A mobile terminal for use in a wireless communication system as recited in claim 1 ~~6~~, wherein the user input means of the housing and the flip cover comprises a keypad apparatus disposed within the housing and the flip cover, the keypad apparatus also electrically connected to the electronic components in the housing so that tactile input can be received.

REMARKS/ARGUMENTS

Claims 4, 6 and 10 are amended. Claims 1-3 are canceled. Claims 4-10 remain in the application.

Applicant hereby requests further examination and reconsideration of the application in view of the foregoing amendments and discussion below.

Claims 4 and 6 are amended so as to incorporate the elements of canceled claim 1. Claims 4 and 6 are further amended to recite that the display is movable relative to the housing and that the flip cover is movable relative to the housing and the display.

Claim 10 is amended to depend from claim 6.

The examiner rejected claims 4-9 as obvious over Shima in view of EP 1298890 to Mizuta. As to claim 4, the examiner states that Shima discloses a mobile terminal for use in a wireless communication system having means for rotating the display, citing FIG. 12, item 63, of Shima. The examiner correctly notes that Shima does not disclose means for rotating the display interposed between the display and the pivotal mounting, the rotating means allowing the display to rotate in a direction perpendicular to the axis of the pivotal mounting for positioning one of the inner major surface or the outer major surface of the display against the inner major surface of the housing or the flip cover. For this deficiency, the examiner relies on Mizuta, citing FIGS. 4a and 4b of Mizuta. The examiner concludes it would have been obvious to one of the ordinary skill in the art at the time of invention to combine these teachings for the purpose of providing an easier view to the user.

As to claim 6, the examiner states that Mizuta discloses a mobile terminal for use in a wireless communication system having a rotational joint mounted between the housing and the display for allowing the display to rotate in a plane about an axis perpendicular to the longitudinal axis of the housing, citing Figs. 4a and 4b of Mizuta.

The Applicant respectfully submits that claims 4 and 6 patentably distinguish from the above references. Claims 4 and 6, as amended, recite *inter alia* a mobile terminal comprising a housing, a display movably mounted to the housing for movement relative to the housing, and a flip cover pivotally mounted to the housing and movable relative to the housing and the display. Claim 4 further recites means for rotating the display interposed between the display and the pivotal mounting, the rotating means allowing the display to rotate relative to the housing and the flip cover in a direction perpendicular to the axis of the pivotal mounting. Claim 6 further recites a rotational joint mounted between the housing and the display for allowing the display to rotate relative to the housing and the flip cover in a plane about an axis perpendicular longitudinal axis of the housing. In both cases, claims 4 and 6 define an invention including independently movable housing, flip cover, and display, which is neither taught nor suggested by Shima and Mizuta.

The Shima patent is directed to a clamshell phone and a display which is viewable from both sides. Mizuta shows a jackknife phone having a flip cover with a display on only one side. The Mizuta flip cover rotates relative to the housing for positioning the display on the outside

when the phone is closed. Neither patent discloses or suggests a mobile terminal as presently claimed, wherein the housing, display and flip cover all move independently of one another. Thus, the Applicant respectfully submits that the references do not suggest the presently claimed invention, either singly or taken in any reasonable combination.

The invention as defined in claims 4 and 6 contributes significantly to the goal of a mobile terminal adapted to efficiently accommodate multiple functions while maintaining compactness and portability. The references cited by the examiner fail to recognize and thus realize the advantages which the Applicant has achieved in his invention. If a mobile terminal wherein the housing, display and flip cover are all movable independently from one another were indeed obvious, it would have been disclosed in at least one of the references relied upon by the examiner. Given the advantages of the claimed invention as explained above and in the specification, and the fact that no references show such a design, Applicant respectfully submits that the claims 4 and 6 define an invention which is not fairly suggested by the prior art, either alone or in any reasonable combination.

Claims 5 and 7-10 of the present application depend from claims 4 and 6, respectively. In addition to the distinguishing features recited in claims 4 and 6 and discussed above, the mobile terminal of the present invention has additional advantageous features defined in the dependent claims which further distinguish the present invention over the prior art. The references cited by the examiner do not disclose or suggest these features with their many advantages.

For the foregoing reasons, the Applicant respectfully submits that the mobile terminal claimed in the present application is not fairly taught or suggested by any of the references cited by the examiner. Reconsideration and withdrawal of the rejections and allowance of claims 4-10 at an early date are respectfully requested.

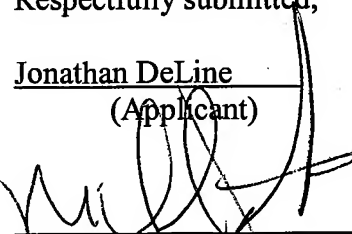
If the Examiner has any questions about the present Amendment or anticipates finally rejecting any claim of the present application, a telephone interview is requested.

Respectfully submitted,

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(Applicant)

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